

REMARKS

Claims 1, 4-10, and 13-15 are pending in this application. The title has been amended per the request of the Office. Claims 1 and 13 are amended to clarify the scope of the invention. Support for the amendment appears, for example, at page 7, lines 17-20. Claim 6 is amended to correct an inadvertent typographical error and thus to correct an antecedent basis problem. Claims 2-3, 11-12, and 16-17 are hereby cancelled without prejudice or disclaimer. No new matter has been added.

The Office Action objects to the title of the invention as not being descriptive. By this amendment, the title has been changed to include additional descriptive text. Applicants respectfully request withdrawal of the objection to the title.

The Office Action objects to claim 6 as failing to comply with 35 U.S.C. § 112 for lack of antecedent basis. Claim 6 has been amended to correct an inadvertent typographical error and thus to correct the antecedent basis problem. Accordingly, the 35 U.S.C. § 112 rejection of claim 6 should be withdrawn.

The Office Action rejects claims 1-17 under 35 U.S.C. § 102(b) as being anticipated by *Goss et al.*, U.S. Patent No. 3,909,797 (hereinafter "*Goss*"). Claims 2-3, 11-12, and 16-17 are hereby cancelled without prejudice or disclaimer and accordingly the rejection of these claims is moot.

Applicants assert that *Goss* fails to disclose "microinstruction sequencing logic to determine if there are any microinstructions being issued which affect the microinstruction sequencer stack" as recited in independent claim 1 and similarly recited in independent claim 13.

Goss relates to a computer system that facilitates the execution of nested subroutines. *Goss* at Abstract. *Goss* describes that a control store unit, illustrated as ref. no. 26 in FIG. 1, directs all operations of an address control unit. *Goss* at 5:10-17. *Goss*'s control store unit 26 of FIG. 1 is shown in detail in *Goss*'s FIG. 2. *Goss* at 6:4-5. The Office Action reads "sequencing logic" on *Goss*'s FIG. 2, elements 54, 56, and 58. Nowhere does *Goss* disclose or suggest that anywhere in *Goss*'s FIG. 2, nor specifically in *Goss*'s elements 54, 56, and 58, is there "logic to determine if there are any microinstructions being issued which affect the microinstruction sequencer stack" as recited in independent claim 1 and similarly recited in independent claim 13. Accordingly, the 35 U.S.C. § 102(b) rejection of independent claims 1 and 13 should be

withdrawn.

With respect to dependent claims 3 and 15, the Office Action states that “in order for the instructions in the subroutines to be completed, there must inherently be unit that performs the completing” and appears to infer that as a consequence, the claimed “retire unit” is disclosed. The Office action also expresses that at least one element of dependent claim 8 is inherent. Applicants are unsure of Office Action’s assertions of inherency and respectfully request that if the Office Action wishes to take Official Notice of facts outside of the record, then the Office Action should so state. Applicants respectfully request citation and provision of a reference to support the inherency described by the Office Action.

For the reasons set forth above, Applicants submit that independent claims 1 and 13 define patentable subject matter. Claims 4-10 and 14-15 depend from independent claims 1 and 13, respectively and therefore, also define patentable subject matter. Accordingly, Applicants request that the § 102(b) rejection of claims 1, 4-10, and 13-15 be withdrawn.

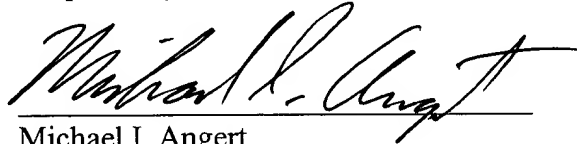
Conclusion:

The claims are allowable over the prior art for the reasons set forth above. A Notice to that effect is respectfully requested.

The Office is hereby authorized to charge all required fees, including all required claim fees under 37 C.F.R. §1.16 and/or all required extension of time fees under 37 C.F.R. §1.17, or credit any overpayments to Deposit Account 11-0600.

If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Michael I. Angert", written over a horizontal line.

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